

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BARBARA A. DWYER,	:	
Plaintiff	:	
	:	
v.	:	
	:	CIVIL ACTION
	:	
INTEGRATED TECHNOLOGIES, INC.	:	NO. 02-CV-4353
Defendant	:	
	:	
	:	

**PLAINTIFF’S RESPONSE TO DEFENDANT’S
MOTION TO DISMISS PLAINTIFF’S COMPLAINT**

Plaintiff, Barbara A. Dwyer, by and through her counsel, MacElree Harvey, LTD. hereby respectfully oppose the Defendant’s Motion to Dismiss for Improper Venue Pursuant to 28 U.S.C. § 1406 and 42 U.S.C. § 2000e-4(f) filed on or about September 30, 2002 on the following grounds.

1. Venue is proper in the Eastern District of Pennsylvania in this action as more fully set forth in the attached Memorandum of Law Contra Defendant’s Motion to Dismiss and Plaintiff’s Amended Complaint attached hereto as Exhibit “A”.

2. Venue is proper in this district because the wrongful discrimination occurred here and the plaintiff would have worked in this district absent the wrongful discrimination, as required by 42 U.S.C. § 2000e-5(f)(3).

3. Further, defendant regularly conducts business in this district.

4. Plaintiff resides in this district.

5. The only other jurisdiction that venue may be proper would be the Fourth Circuit. Accordingly, if this Honorable Court finds that venue is not proper in this district, the matter should be transferred to the Fourth Circuit rather than dismissed.

WHEREFORE, plaintiff requests this Honorable Court enter an order denying Defendant's Motion to Dismiss or in the alternative transferring the action to the Fourth Circuit.

Respectfully submitted,

MacELREE HARVEY, LTD.

By: _____
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